

portion provided in the stopper to perform a pressing operation, a traction operation or a pinching operation. The position of the stopper on the pusher is adapted to be regulated by releasing the fixation by the fixing means through operation of the operating portion, and the depth of insertion of the pusher into the outer tube is restricted by abutment of the stopper on a portion of the outer tube.

As also explained during the interview, U.S. Patent No. 4,246,898 to *Travalent et al.* corresponds to Japanese Utility Model Publication No. Hei 2-15502 discussed in the background portion of the present application. This document discloses a syringe that includes a barrel 12 and a plunger 22 slidably positioned within the barrel. The plunger 22 is provided with a plurality of teeth 54 that are adapted to interact with the internal thread formed on the interior of an adjusting ring 56. The adjusting ring 56 can be rotated to adjust the position of the adjusting ring 56 along the plunger 22. By adjusting the position of the adjusting ring 56 along the length of the plunger 22, it is possible to vary the amount of medicament dispensed from the syringe when the plunger 22 is depressed.

As pointed out during the interview, the claimed syringe differs from the syringe disclosed in *Travalent et al.* in that Claim 1 recites fixing means for selecting and fixing the position of the stopper on the pusher. The syringe disclosed in *Travalent et al.* does not include fixing means for selecting and fixing the position of the ring 56 on the plunger 22.

Further, Claim 1 recites an operating portion provided at the stopper to perform a pressing operation, a traction operation or a pinching operation, with the position of the stopper on the pusher being regulatable by releasing the fixation by the fixing means through operation of the operating portion. The syringe disclosed in

Travalent et al. does not include an operating portion provided at the ring 56 for performing a pressing operation, a traction operation or a pinching operation, with the position of the ring 56 on the plunger 22 being regulated by releasing the fixation by a fixing means through operation of such an operating portion.

Thus, as pointed out during the interview and acknowledged by Examiner DeSanto, Claim 1 cannot be anticipated by the disclosure contained in *Travalent et al.*

Independent Claim 8 defines the syringe in a manner different from independent Claim 1. Claim 8 defines that the syringe comprises an outer tube, a gasket slidable in the outer tube, a pusher inserted through an opening of the base end of the outer tube and operable to move the gasket, and a stopper provided on the pusher so that the stopper can be slid along the longitudinal direction of the pusher and the position of the stopper on the pusher is regulatable to a desired position. The syringe also comprises an operating member displaceable relative to the stopper, with the operating member performing an operation of fixing the stopper relative to the pusher by pressing a portion of the stopper against the pusher, and with the depth of insertion of the pusher into the outer tube being restricted by abutment of the stopper on a portion of the outer tube.

As pointed out during the interview, the syringe disclosed in *Travalent et al.* does not include an operating member which is displaceable relative to the ring 56 and which performs an operation of fixing the ring 56 relative to the plunger by pressing a portion of the ring 56 against the plunger 22. Thus, *Travalent et al.* lacks disclosure of an operating member similar to that recited in independent Claim 8. Accordingly, as agreed by Examiner DeSanto during the interview, the syringe

defined in independent Claim 8 is also patentably distinguishable over the disclosure contained in *Travalent et al.*

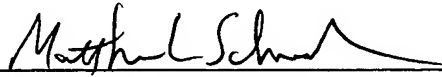
Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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Date: September 20, 2005

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